Document No. 3667
Voted at Meeting of 9/7/78

BOARD OF APPEAL REFERRALS September 7, 1978

1.	Z-4212	Columbia Tire Exchange, Inc. 30 Edgewater Drive, Mattapan
2.	Z-4215	Richard J. and Carole M. Grant 11 Monastery Road, Brighton
3.	Z-4216	John and Nellie Cuozzo 11-15 Chestnut Hill Avenue, Brighton
4.	Z-4218	80 Boylston Street Trust 74-84 Boylston and 191-215 Tremont Streets, Boston
5.	Z-4219	145 Ipswich Realty Trust 145-151 Ipswich and 5-13 Lansdowne Streets, Boston
6.	Z-4221	Carlton L. Haynes 13 Withington Street, Dorchester
7.	Z-4244	Edward W. Jay 1466-1480 Blue Hill Avenue, Mattapan
8.	Z-4247	Eastern Realty Corp. 224-232 Boylston and 1-9 Providence Streets, Boston
9.	Z-4248	HER Realty Corporation 660 Beacon Street, Boston
10.	Z-4250	Overland Realty Trust 21-27 Burlington Avenue, Boston near Brookline Avenue

MEMORANDUM September 7, 1978

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert J. Ryan, Director

SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 9/12/78

Z-4212
Columbia Tire Exchange, Inc.
30 Edgewater Drive, Mattapan
near River Street

One-story structure

District(s): apartment_____ general business_____ industrial_____
residential R-.5 local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: to erect free-standing sign and wall sign.

Violation(s):

Section		Required	Proposed
11-1.	Number of signs proposed exceeds maximum allowed in a residential district.		

Petitioner sells and installs tires within structure. Proposed free-standing sign advertising "MICHELIN" meets the Code requirements for conditional use. Wall sign proposal will be eliminated from initial application. Recommend approval.

VOTED: In reference to Petition Z-4212, brought by Columbia Tire Exchange, Inc., 30 Edgewater Drive, Mattapan, for a conditional use to erect a free-standing sign in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Proposed free-standing sign meets Code requirements for conditional use.


Z-4212
30 EDGEWATER DRIVE
(MATT.)
MATTAPAN SQUARE
PARKING
CHURCH OF THE HOLY SPIRIT
WALL
STREET
VIOLANTE STREET
MARCY STREET
RO.
PARKWAY
BLUE HILL
DRIVE
RIVER
RESERVATION
PLAYGROUND
TESLA STREET
TOPALIAN STREET
MALTA STREET
BURMAN STREET
EDGEWATER WALL
MATTAKEESET STREET
MONPONSET STREET
HOLMFIELD ROAD
RECTOR ROAD
CATON ROAD
ROSEWOOD STREET
ROCKDALE STREET
HOLLINGSWORTH AVE.
CITY OF BOSTON
TOWN OF MILTON
NEPONSET
RIVER

Board of Appeal Referrals 9/7/78

Hearing: 9/12/78

Z-4215
Richard J. and Carole M. Grant
11 Monastery Road, Brighton
near Washington Street

Two-story frame structure

District(s): apartment_____ general business_____ industrial_____
residential R-.5 local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: to change occupancy from two- to three-family dwelling.

Violation(s):

Section		Required	Proposed
8-7.	Any dwelling converted for more families which does not meet the requirements for lot area is forbidden in an R-.5 district.		
14-1.	Lot area is insufficient.	5,000 sf	1,890 sf

Conversion is contrary to the predominantly low density one-two family residential nature of the immediate neighborhood. Recommend denial.

VOTED: In reference to Petition Z-4215, brought by Richard J. and Carole M. Grant, 11 Monastery Road, Brighton, for a forbidden use and a variance for a change of occupancy from two- to three-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. Conversion is contrary to the predominantly low density one-two family residential nature of the immediate neighborhood.


Z-4215
11 MONASTERY ROAD
(BRI.)
HOSPITAL
TENNIS COURT
PARKING
PASSIONIST FATHERS MONASTERY
ST. GABRIEL'S MONASTERY PARISH SCHOOL
COMMONWEALTH DEVELOPMENT BOSTON HOUSING AUTHORITY BOSTON 200-1
MONASTERY HILL APARTMENTS
FIDELIS WAY
WASHINGTON STREET
CLAYMOSS ROAD
MONASTERY ROAD
COLBORNE ROAD
EUSTON ROAD
RANSOM ROAD
COMMONWEALTH AVENUE
MBTA
NOTTING HILL
U/C

Board of Appeal Referrals 9/7/78

Hearing: 9/12/78

Z-4216
John and Nellie Cuozzo
11-15 Chestnut Hill Avenue, Brighton
near Washington Street

One-story masonry structure and 2½-story frame structure

District(s):					
	apartment		general business		industrial
	residential	R-.8	local business		waterfront
	single family				manufacturing

Purpose: to combine lots; to use premises for accessory parking.

Violation(s):

Section		Required	Proposed
9-1.	Extension of a nonconforming use requires Board of Appeal hearing.		
10-1.	Accessory parking may not occupy any part of required front yard in a residential district.		

The frame structure would be demolished. Proposal will provide additional parking for the First National Bank, increase live storage space for drive-in services, and alleviate curb parking demands in the area. Recommend approval with provisos.

VOTED: In reference to Petition Z-4216, brought by John and Nellie Cuozzo, 11-15 Chestnut Hill Avenue, Brighton, for an extension of a nonconforming use and a variance to combine lots and use premises for accessory parking in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval with the following provisos: that required front yard be provided; that landscaping be provided along Chestnut Hill Avenue and Baldwin Place; and that plans be submitted to the Authority for design review.



Z-4216
11-15 CHESTNUT HILL AVE
(BRI.)

Board of Appeal Referrals 9/7/78

Hearing: 9/19/78

Z-4218
80 Boylston Street Trust
74-84 Boylston and 191-215 Tremont Street,
Boston

Twelve-story structure

District(s): apartment_____ general business B-10 industrial_____
residential_____ local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: to change occupancy from offices, stores, restaurant, and shorthand-typing school to offices, stores, restaurant, shorthand-typing school, and beauty school (350 students).

Violation(s):

Section		Required	Proposed
8-7.	A beauty school is conditional in a B-10 district.		

Proposal would legalize a condition existing since 1962.
Recommend approval.

VOTED: In reference to Petition Z-4218, brought by 80 Boylston Street Trust, 74-84 Boylston and 191-215 Tremont Streets, Boston, for a conditional use for a change of occupancy from offices, stores, restaurant, and shorthand-typing school to offices, stores, restaurant, shorthand-typing school, and beauty school in a general business (B-10) district, the Boston Redevelopment Authority recommends approval. Existing use is consistent with commercial area.


MASSACHUSETTS PARKING AUTHORITY
Z-4218
191-215 TREMONT ST.
74-84 BOYLSTON ST.
(B.P.)
COMMON
CENTRAL BURIAL GROUND
GARAGE ENTRANCE
STREET
BOYLSTON
SQUARE
PARK
ELIOT
MONUMENT
MASON ST.
MASON
PARKING AREA
MASON ST. PL.
AVERY
AVERY PL.
STREET
HAYWARD PL.
EXETER PL.
AVENUE EXT.
ROWE
CHAUNCY
HARRISON
ESSEX
PHILLIPS SQ.
OXFORD
AVENUE
BEACH
KNAPP ST.
KNEELAND
STREET
LA GRANGE
STREET
PARKING AREA
BOYLSTON SQ.
VAN RENSSELAER PL.
BOYLSTON PL.
CARVER
TOWNSEND
PARKING AREA
PARKING AREA
STUART
PARKING AREA
STREET
SHAWMUT
STREET
STREET
BROADWAY
STREET
PARKING AREA
WARRENTON
STREET
SEAVER PL.
TREMONT
STREET
DORE
STREET
STREET
HOLLIS
STREET
COMMON
WASHINGTON
HARVARD
BENNET ST.
HARRISON
PARKING AREA
STREET
STREET
PARKING AREA

Board of Appeal Referrals 9/7/78

Hearing: 9/19/78

Z-4219
145 Ipswich Realty Trust
145-151 Ipswich and 5-13 Lansdowne Streets, Boston

Five-story structure

District(s): apartment_____ general business_____ industrial_____
residential_____ local business_____ waterfront_____
single family_____ manufacturing M-2

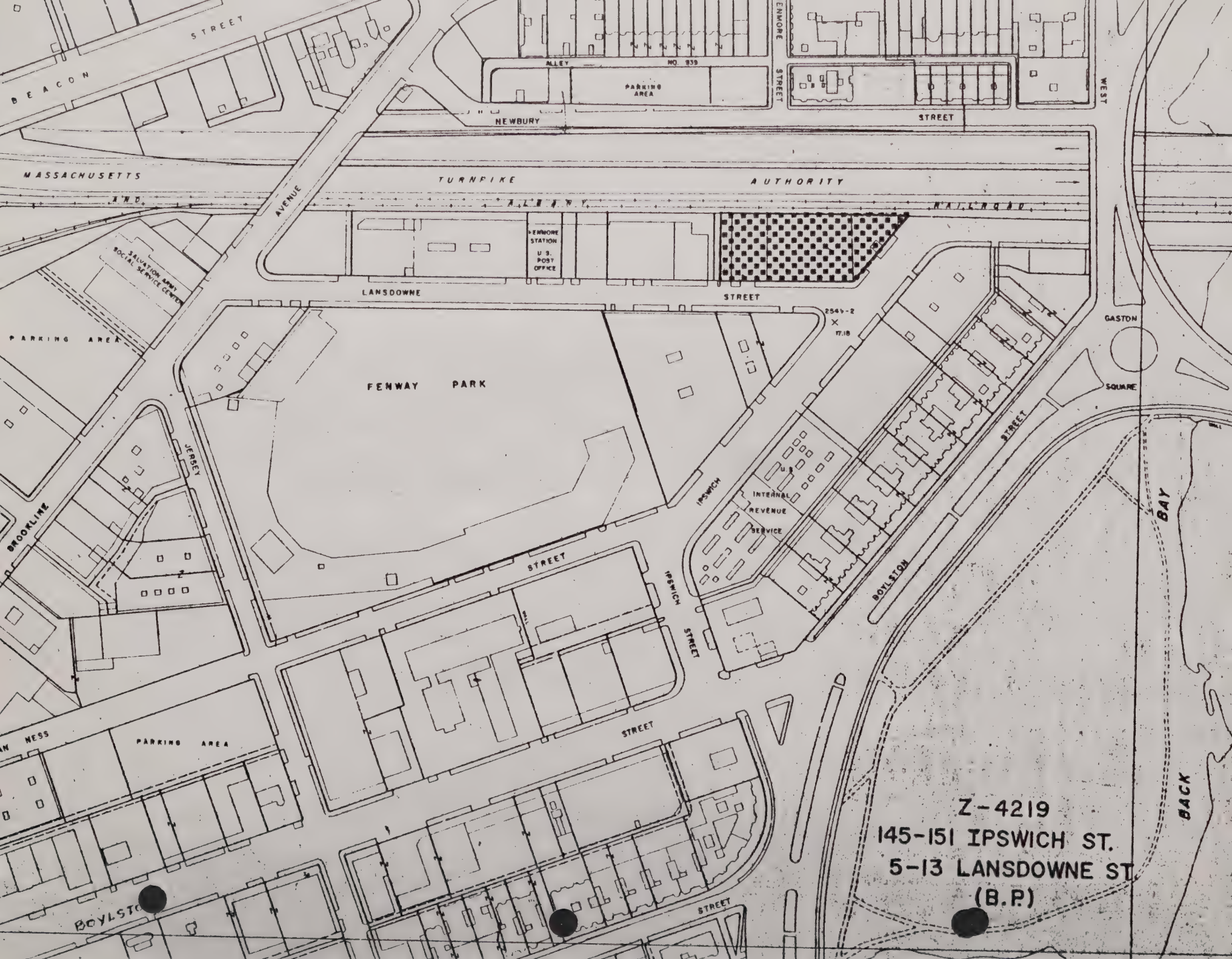
Purpose: to change occupancy from warehouse, manufacturing, and sale of furniture to warehouse, manufacturing, sale of furniture, and public parking.

Violation(s):

Section		Required	Proposed
8-7.	Parking garage is conditional in a restricted parking district.		

Proposal would provide 20 interior parking spaces for business customers and tend to relieve acute problem in the area. Recommend approval.

VOTED: In reference to Petition Z-4219, brought by 145 Ipswich Realty Trust, 145-151 Ipswich and 5-13 Lansdowne Streets, Boston, for a conditional use for a change of occupancy from warehouse, manufacturing, and sale of furniture to warehouse, manufacturing, sale of furniture, and public parking in a manufacturing (M-2) district, the Boston Redevelopment Authority recommends approval. Proposal would tend to relieve acute problem in the area.


BEACON STREET
NEWBURY STREET
ALLEY NO. 939
PARKING AREA
KENMORE STREET
WEST
MASSACHUSETTS TURNPIKE AUTHORITY
AND ALBANY RAILROAD
AVENUE
KENMORE STATION
U. S. POST OFFICE
SALVATION ARMY SOCIAL SERVICE CENTER
LANSDOWNE STREET
PARKING AREA
FENWAY PARK
2549-2
17.18
GASTON
SQUARE
JERSEY
BROOKLINE
IPSWICH
INTERNAL REVENUE SERVICE
STREET
BOYLSTON
BAY BACK
PARKING AREA
Z-4219
145-151 IPSWICH ST.
5-13 LANSDOWNE ST.
(B.P.)

Board of Appeal Referrals 9/7/78

Hearing: 9/19/78

Z-4221
Carlton L. Haynes
13 Withington Street, Dorchester
near Norfolk Street

2½-story structure

District(s): apartment_____ general business_____ industrial_____
residential R-.8 local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: to change occupancy from two- to three-family dwelling.

Violation(s):

Section		Required	Proposed
8-7.	Any dwelling converted for more families which does not meet the requirements of lot area is forbidden in an R-.8 district.		
14-2.	Lot area is insufficient.	8,000 sf	5,000 sf

Violation would not have a significant impact on the neighborhood. No opposition. Recommend approval.

VOTED: In reference to Petition Z-4221, brought by Carlton L. Haynes, 13 Withington Street, Dorchester, for a forbidden use and a variance for a change of occupancy from two- to three-family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. Violation would not have a significant impact on the neighborhood.


Z-4221
13 WITHINGTON ST. (DOR.)
HARLEY ST.
GRACE ST.
MONTAGUE
WELLES
WALTON
ROSLIN
HENRY L. PIERCE TRADE ANNEX HIGH
BAPTIST CHURCH
BAPTIST CHURCH
BRENT STREET
LITHGOW AVENUE
LITHGOW STREET
GIRLS' LATIN HIGH SCHOOL
CENTRE
TALBOT
COOMAN SQUARE
COOMAN STREET
EPPING ST.
EUCLID STREET
MOODY ST.
DUNBAR AVENUE
EMILY A. FIFIELD EL SCHOOL
WITHINGTON STREET
OAKWOOD STREET
CHIPMAN STREET
WENTWORTH STREET
TORREY
WENTWORTH
CEMETERY
PARISH
SECOND
JOHN G. WHITTIER SCHOOL
DARLINGTON
CLARIDGE TER.
RICHARD TER.
ROAD

Board of Appeal Referrals 9/7/78

Hearing: 9/12/78

Z-4244
Edward W. Jay
1466-1480 Blue Hill Avenue, Mattapan
near Culbert Street

Gas station - car wash

District(s): apartment_____ general business_____ industrial_____
residential R-.8 local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: to erect front (30 ft. x 49 ft.) and rear (30 ft. x 42 ft.) additions to gas station—car wash—used car facility.

Violation(s):

Section		Required	Proposed
9-1.	Extension of a nonconforming use requires Board of Appeal hearing.		
18-1.	Front yard is insufficient.	25 ft.	0
20-1.	Rear yard is insufficient.	40 ft.	25 ft.

Proposal as submitted is inappropriate and excessive use of site, almost tripling the capacity of present building. Staff is amenable to rear addition abutting railroad right of way. Front addition would intensify existing hazardous traffic conditions. Recommend approval of rear and denial of front additions.

VOTED: In reference to Petition Z-4244, brought by Edward W. Jay, 1466-1480 Blue Hill Avenue, Mattapan, for extension of nonconforming use and two variances to erect two additions to automotive structure in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval of rear and denial of front addition. Front addition is inappropriate and excessive use of site and would intensify existing hazardous traffic conditions.


Z-4244
1466-80 BLUE HILL AVE.
(MATT.)
ALMONT
TENNIS
ROAD
STREET
AVENUE
BABSON
NORFOLK
MILDRED
NEW HAVEN
FRENCH
DELHI
CROSSMAN
VIOLET
NEW YORK
CULBERT
WOODHAVEN
PARKING
COURTS
WALL
PLAYGROUND

Board of Appeal Referrals 9/7/78

Hearing: 9/19/78

Z-4247
Eastern Realty Corp.
224-232 Boylston and 1-9 Providence Streets, Boston

Seven-story structure

District(s): apartment_____ general business B-10 industrial_____
residential_____ local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: to change occupancy from offices and stores to offices, store, and bartending school.

Violation(s):

Section		Required	Proposed
8-7.	A bartending school is conditional in a B-10 district.		

Property is within Hadassah-Charles subparcel of the Park Plaza project and has been tentatively designated by the Authority for development by Boston Plaza Associates. Construction could begin next spring. Recommend denial.

VOTED: In reference to Petition Z-4247, brought by Eastern Realty Corp., 224-232 Boylston and 1-9 Providence Streets, Boston, for a change of occupancy from offices and stores to offices, store, and bartending school in a general business (B-10) district, the Boston Redevelopment Authority recommends denial. Property is within Hadassah-Charles hotel subparcel of the Park Plaza project and has been tentatively designated for development by the Authority. Construction could begin next spring.



Z-4247
224-232 BOYLSTON ST.
1-9 PROVIDENCE ST.
(B.P.)

Board of Appeal Referrals 9/7/78

Hearing: 9/19/78

Z-4248
HER Realty Corporation
660 Beacon Street, Boston
at Kenmore Square

Six-story structure

District(s): apartment_____ general business B-4 industrial_____
residential_____ local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: to change occupancy from school, stores, offices, cinema, restaurant, and garage, to school, stores, offices, garage, and restaurant.

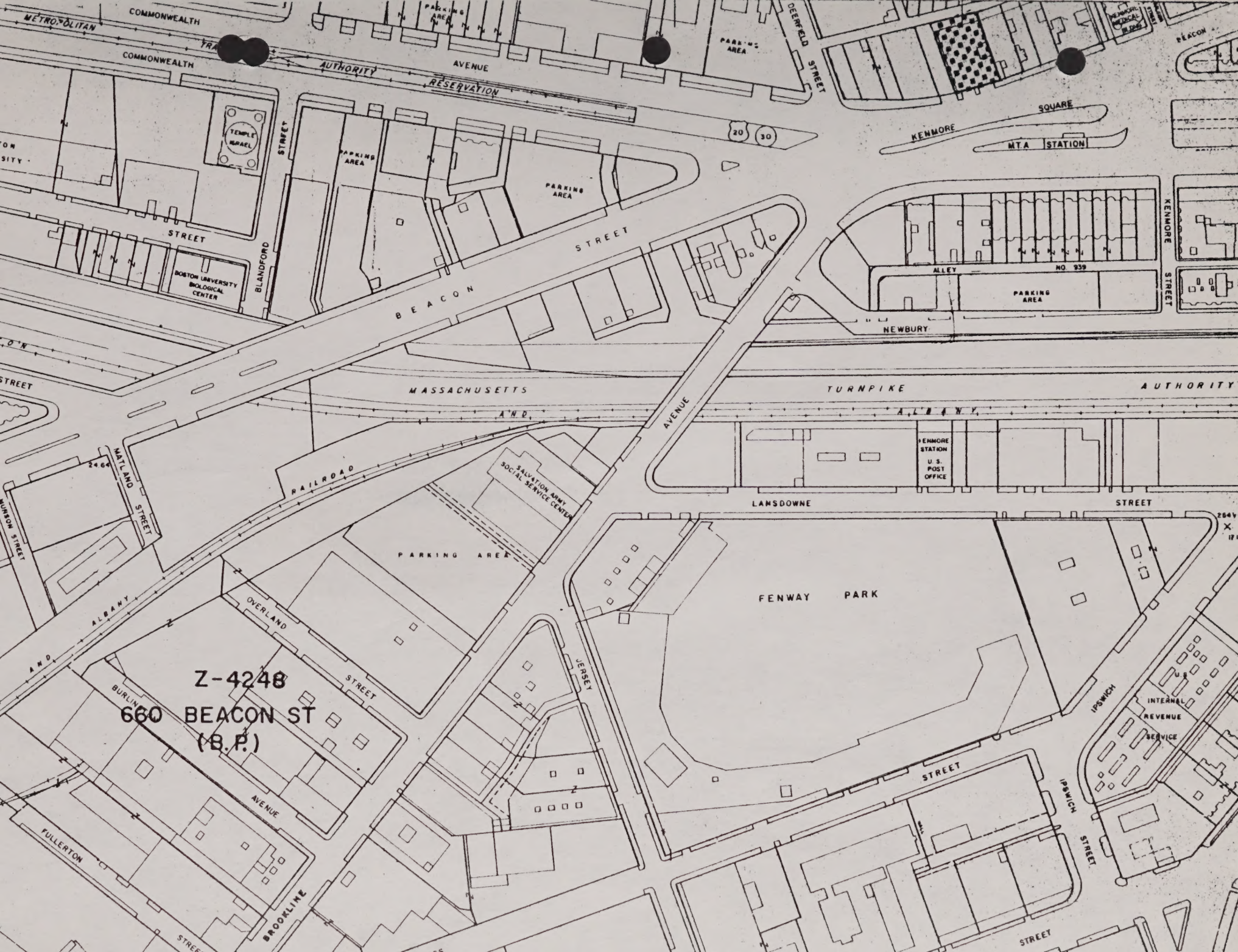
Violation(s):

Section		Required	Proposed
8-7.	Sale over the counter of on-premises-prepared food or drink for off-premises consumption, or for on-premises consumption if, as so sold, such food or drink is ready for take-out, is conditional in a B-4 district.		

Essentially, it is proposed to remodel former first-floor theatre for a "McDonald's" restaurant seating approximately 150 persons.

This petition is contrary to goals established for Kenmore Square in a recent study and supported by many residents and real estate interests. Community is opposed to restaurant facility. Recommend denial.

VOTED: In reference to Petition Z-4248, brought by HER Realty Corporation, 660 Beacon Street, Boston, for a conditional use for a change of occupancy from school, stores, offices, cinema, restaurant and garage to school, stores, offices, garage, and restaurant in a general business (B-4) district, the Boston Redevelopment Authority recommends denial. This petition is contrary to goals established for Kenmore Square in a recent study and supported by many residents and real estate interests. Community is opposed to proposed facility.


Z-4248
660 BEACON ST
(B.P.)
FENWAY PARK
BEACON STREET
COMMONWEALTH AVENUE
METROPOLITAN TRANSIT AUTHORITY RESERVATION
KENMORE SQUARE
MTA STATION
KENMORE STREET
NEWBURY STREET
ALLEY NO. 939
PARKING AREA
TEMPLE ISRAEL
BOSTON UNIVERSITY BIOLOGICAL CENTER
BLANDFORD STREET
MASSACHUSETTS TURNPIKE AUTHORITY
AND ALBANY RAILROAD
AVENUE
KENMORE STATION
U.S. POST OFFICE
LANSDOWNE STREET
SALVATION ARMY SOCIAL SERVICE CENTER
MATLAND STREET
NUNSON STREET
OVERLAND STREET
BURLINGTON AVENUE
FULLERTON STREET
BROOKLINE
JERSEY STREET
IPSWICH STREET
INTERNAL REVENUE SERVICE
DEERFIELD STREET

Board of Appeal Referrals 9/7/78

Hearing: 9/12/78

Z-4250
Overland Realty Trust
21-27 Burlington Avenue, Boston
near Brookline Avenue

Five-story structure

District(s): apartment_____ general business_____ industrial_____
residential_____ local business_____ waterfront_____
single family_____ manufacturing M-2

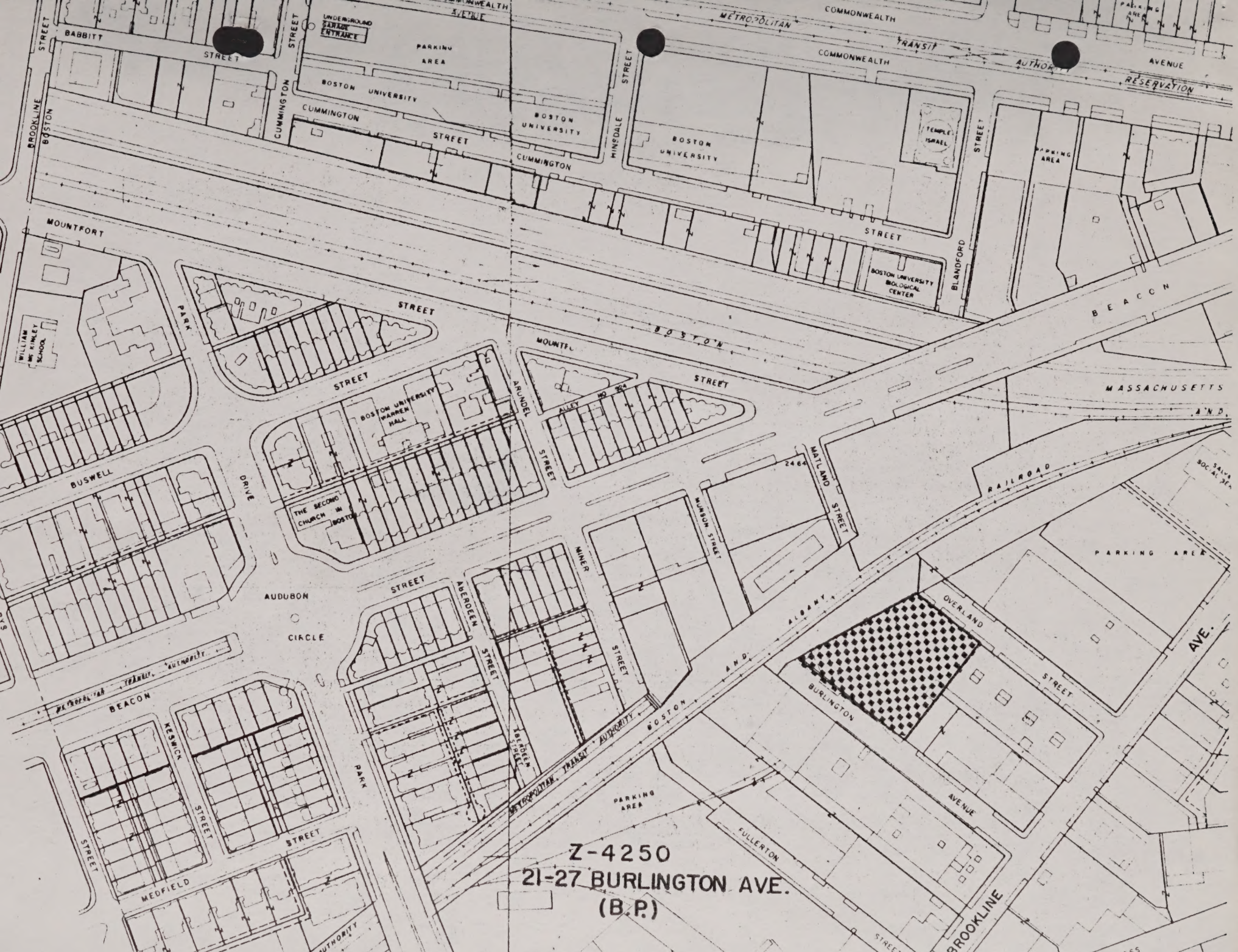
Purpose: to legalize occupancy - school, Massachusetts College of Art.

Violation(s):

Section		Required	Proposed
8-7.	A school is conditional in an M-2 district.		

Classrooms would be located on first floor. Massachusetts College of Art already occupies part of the structure. Taxes will continue to be paid on property. Recommend approval.

VOTED: In reference to Petition Z-4250, brought by Overland Realty Trust, 21-27 Burlington Avenue, Boston, for a conditional use to legalize occupancy as a school in a manufacturing (M-2) district, the Boston Redevelopment Authority recommends approval. Proposal is consistent with this mixed-use area.


Z-4250
21-27 BURLINGTON AVE.
(B.P.)
COMMONWEALTH AVENUE
METROPOLITAN TRANSIT AUTHORITY RESERVATION
BOSTON UNIVERSITY
PARKING AREA
UNDERGROUND GARAGE ENTRANCE
CUMMINGTON STREET
BABBITT STREET
BROOKLINE
BOSTON
MINSDALE STREET
TEMPLE ISRAEL
BLANDFORD STREET
BOSTON UNIVERSITY BIOLOGICAL CENTER
MOUNTFORT STREET
WILLIAM McKINLEY SCHOOL
PARK STREET
BOSTON UNIVERSITY WARREN HALL
THE SECOND CHURCH IN BOSTON
ARUNDEL STREET
ALLEY NO 424
BUSWELL DRIVE
AUDUBON CIRCLE
BEACON STREET
MASSACHUSETTS A.N.D.
RAILROAD
MATLAND STREET
2464
NURSON STREET
MINER STREET
ABERDEEN STREET
ALBANY
OVERLAND STREET
BURLINGTON AVENUE
FULLERTON STREET
PARKING AREA
KESWICK STREET
MEDFIELD STREET
BOSTON AND ALBANY
METROPOLITAN TRANSIT AUTHORITY